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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

: **Confirmation No. 1971**

Hashime KANAZAWA et al.

: Attorney Docket No. 2006_1265A

Serial No. 10/588,725

: Group Art Unit 4173

Filed August 8, 2006

: Examiner Jonathan S. Lau

COMBINED PHARMACEUTICAL
COMPOSITION

: **Mail Stop: Amendment**

RESPONSE TO RESTRICTION REQUIREMENT AND SPECIES ELECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMISSIONER IS AUTHORIZED TO
CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 93-0975

Sir:

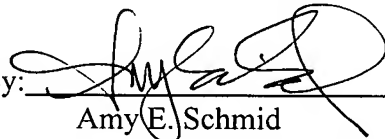
Responsive to the Office Action of October 30, 2007, constituting a requirement for restriction between Groups (I) and (II), Applicants hereby elect the subject matter of Group (I), claims 1-17 and 19-22, a pharmaceutical composition comprising a hyperlipidemic agent and a α -glucosidase inhibitor and methods of making thereof. This election is made while reserving Applicants' rights under 35 U.S.C. § 121 to file a divisional application for the non-elected subject matter of Group (II).

In response to the Examiner's request for a single disclosed species for search purposes, Applicants' elect fenofibrate as the hyperlipidemic agent and voglibose as the α -glucosidase inhibitor.

Action on the merits is respectfully requested.

Respectfully submitted,

Hashime KANAZAWA et al.

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